

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

IDA JENNINGS-JONES,)
)
Plaintiff,) CIVIL ACTION NO.
)
v.) 2:23cv574-MHT
)
) (WO)
SYLACAUGA HEALTH CARE)
AUTHORITY, doing business)
as Coosa Valley Medical)
Center, et al.,)
)
Defendants.)

OPINION AND ORDER

This lawsuit is before the court on the recommendation of the United States Magistrate Judge that the case be transferred to the United States District Court for the Northern District of Alabama pursuant to 28 U.S.C. § 1406(a), or alternatively, pursuant to 28 U.S.C. § 1404(a). Also before the court is plaintiff's response to the magistrate judge's order to show cause as to why this case should not be transferred to the Northern District of Alabama, which the court construes as an objection to the magistrate

judge's recommendation. In her objections, while plaintiff offers reasons why she does not want the case transferred to the Northern District of Alabama, she does not question or undermine the magistrate judge's finding that there is no basis for venue in the Middle District of Alabama under 28 U.S.C. § 1391(b).

After an independent and de novo review of the record, and because there is no basis for venue in this court, the court concludes that the objection should be overruled and the magistrate judge's recommendation adopted, for the most part. The court does not adopt the recommendation to the extent it finds that plaintiff no longer resides at the address she initially provided the court, and that she failed to update her address with the court. Plaintiff provided the correct address when she filed her complaint, where she still resides, but the clerk's office failed to input that address into the ECF system and accidentally used the wrong address for plaintiff. This error, not

anything plaintiff did wrong, resulted in orders being sent to the wrong address. See Order (Doc. 8).

Accordingly, it is ORDERED as follows:

(1) The objection (Doc. 9) is overruled.

(2) The magistrate judge's recommendation (Doc. 7)

is adopted.

(3) This case is transferred to the United States District Court for the Northern District of Alabama pursuant to 28 U.S.C. § 1406(a).

The clerk of the court is DIRECTED to take appropriate steps to effect the transfer.

This case is closed in this court.

DONE, this the 19th day of December, 2023.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE